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PATENT

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8/16/01

**RESPONSE UNDER 37 C.F.R. §1.116 EXPEDITED
PROCEDURE EXAMINING GROUP NO. 1638**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Covacci et al.**

Serial No.: **09/360,934**

Group Art Unit: **1638**

Filed: **July 26, 1999**

Examiner: **P. Bui**

For: **HELICOBACTER PYLORI CYTOTOXIN PROTEINS
USEFUL FOR VACCINES AND DIAGNOSTICS**

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I, **Robin S. Quartin**, Registration No. **45,028** certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on

August 2, 2001

Robin S. Quartin

Robin S. Quartin Reg. No. 45,028

Box AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

AMENDMENT AND RESPONSE

This amendment is being filed subsequent to the filing of a Notice of Appeal dated May 10, 2001, and responds to the Advisory Action dated April 10, 2001. The period to respond is extended by petition, and payment of the appropriate fee provided herewith. Applicants respectfully request that the application be amended as follows.

IN THE CLAIMS:

Please cancel claims 43, 45, 46, and 48 - 53 without prejudice.

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OK to enter
PTB
8/26/01